

The Carlsbad Current

TWENTY-NINTH YEAR.

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PRELIMINARY EXAMINATION OF WILL MURRAH

District Judge, Sam G. Bratton, District Attorney Wyatt and his stenographer, Miss Baldy, came down from Roswell Tuesday morning at nine o'clock, at which time several preliminary matters were taken up, and some civil cases disposed of.

Thursday morning the preliminary hearing of the case of the State vs. Will Murrah was called, and the defendant entered a plea of not guilty when the complaint charging him with murder of John Murrah, his brother, was read to him.

John Murrah returned to his ranch after a hard ride on horseback over his range land. There were two buckets of water in the ranch house kitchen, where he had placed them after boiling the water earlier in the morning. Being very hot and thirsty, he drank a great deal of the water before he realized its brackish taste. Feeling that he had been poisoned, he rode to a neighbor's house about a mile away where every effort was made to rid his system of the poison. He died before this was accomplished.

Several witnesses were sworn in and put under the rule and the examination was commenced.

The first witness called was Roy Shafer, who lives at the Deep Well place above the Segrest water hole, where the poisoning of John Murrah took place.

Mr. Shafer said that he saw John Murrah riding towards his place. He was up on the windmill tower and Murrah motioned to him to come down. Getting to Murrah as quickly as he could Murrah said to him: "I've been poisoned. I want something to make me vomit." Asked to get down off his horse said he couldn't. I helped him down and carried him to the porch. Gave him salt water and grease. He was having one convulsion after another, and died in about ten minutes. Seemed to realize that he was going to die. Said he drank water out of bucket. Asked me to go and get the bucket. Couldn't take the last cup of grease. There were two buckets—didn't know which one he drank from. Came from his ranch. It's a mile and a half from where I live to Segrest water hole. He begged me to kill him. Groaning and suffering he said "Kill me, Roy, kill me." Mexican was present at the time, wife was in house. He died on the porch at 1 o'clock. Wife and I went to Lakewood and told Judge Dauron, and he got out there about dark, together with A. C. Crozier, Sheriff Batton, Dr. Boatman and Glasier, and wife of deceased. When he would start to say anything he would stop and jerk and couldn't talk. Died flat on back, head drawn back, arms crossed, legs straight. I went down to Segrest with Sheriff Batton and Dr. Boatman. Found water on table. Knew he lived there. Had seen him there ten days prior. It was a two room house, camp bed on the floor and small cooking outfit. His family didn't live there. Segrest is three miles northeast from Will Murrah's ranch. John and Will own the water hole. Know of no dispute between them. Inquest was held and the body taken away the same night.

Was with party looking for tracks and making investigations.

Cross-examined by Judge Lamb, Mr. Shafer testified further: "Was with him practically all the time from the time he got off his horse till he died, and heard practically all he said. Francisco Martinez was also with us. Last thing he said was when he begged me to kill him. Before that he said he could not take any more of the grease."

Questioned by the Court as to the condition of Murrah when he rode up, Mr. Shafer testified that he was excited and seemed to be having convulsions continually. Couldn't get off his horse, and was suffering extremely.

Dr. Boatman was the next witness. "I was present at Roy Shafer's ranch on the 10th. Called there by Judge Dauron. Found Murrah dead. Held a post mortem examination. Removed his stomach. He was rigid, stiff, no pulse, no respiration, no circulation, and with effort we moved his limbs. From examination I supposed the cause of his death was poison. Stomach contained possibly a quart of water and very little food. Symptoms of poison are convulsions, spasmodic contractions of muscles, cramping, etc. Sent stomach to Dr. Clark, at Albuquerque for analysis. I left body on porch. Do not know where it was taken from there. I was at Segrest water hole and made examination of the premises. Found two buckets of water, out of one I filled a quart bottle and brought it together with the other bucket to my office. Water was on table in kitchen. No other water there. Found a tin cup on running board of car out in front of house. Contained something white—tasted like salt. Had been wet. Sent eight ounces of it to Dr. Clark, along with the stomach. Used a hypodermic injection of one kind of water on a dog and he died in seven minutes. Used the other kind on a cat with no effect."

Lewis Howell, of Lakewood, was the next witness: "Was present at Segrest water hole on morning of May 10th, with G. Adams, A. C. Crozier, Wink Hardin, Fred Gibson, Ned Webb, John Angel and Shelton from Hope. Made investigation for tracks. Found tracks of two horses at water hole. Traced one track northeast. Picked up trail on Segrest draw below water hole a mile and followed trail down canyon from water hole. Found trail going around corral above water hole but it played out on a flat rock. Horse was shod on three feet. One of the calks was longer than the other. Picked up trail again below. Went on over to Will Murrah's house and found trail again. First trail went towards water hole. Trained back north a quarter mile and then turned east. There is a string of hills north and northeast of water hole. About a quarter of a mile north to the hill. Hill runs east and west three-quarters of a mile and then turns north. There is a draw all the way from the water hole to the Angel place. At Angel place the draw spreads out. It is one mile from Angel place to Will Murrah's. Followed trail three hundred yards east and picked up trail at side of fence near Angel place. Got in car and went on up to Will Murrah's. Trail zigzagged and seemed to have no general direction. Tracks were same as those at water hole. Looked at Murrah's horses. D. Burdett and Lewis Lindsey were there. Found a grey horse shod on three feet. Made same track as trail. Measured same myself. It was three inches from calk to calk and five inches the long way on one side of the shoe, and a little more than five inches on the other side. Have had experience in tracking horses. Know a horse track when I see it. Found no other tracks and found no excuse for trail zigzagging as it did. Cow trails were going to and coming from water."

Cross questioned Mr. Howell testified: "Don't know where shoes are now. Tracked other horse from Segrest nearly to Shafer's ranch."

Tracks looked like they were two or three days old. Shoe on Will Murrah horse had no calks, either toe or heel. Was longer on one side than the other. Measured with a pocket rule made in four six-inch sections. I did the measuring. Measured the track on ground. Could distinguish difference in length of each side of track. This was Tuesday, May 10."

Fred Gibson of Hope was the next witness: "Was present at Segrest May 10th, with party and assisted in trailing. Drove car part of the time. Found trail myself in a place or two. First tracks I noticed were 150 yards up the draw from Segrest water hole. Shod track—three shoes. I would recognize it anywhere. Picked up trail going northeast near water hole, leading down draw by side of road. Trained about half mile around up at Will Murrah place. Went out to corral and found a grey horse. It was Will Murrah's horse. Juddett was riding him at the time. Examined track and found it same as had been trailing. An experienced man in trailing, and would say that these tracks were the same as those made by the grey horse. Was at Will Murrah's again on Thursday together with Shirley Webber, Tom Wood and the two Shelton boys. At that time the horse had on four shoes. Other shoe showed to have been recently put on. Found trail and put shoes in track and they fit. Tried this at different places along trail."

Cross examination: "Wind blew hard enough on Sunday to put out tracks made before that time. There were some cow tracks going both to and from the water hole. Didn't notice them much. Saw trail two miles below. One side of shoe was straighter than the other. Guess it to be a No. 1 shoe."

Answering question from Court: "Had three shoes on the first time we were up there and had four on the second time."

W. W. Hardin, of Hope, was the next witness: "Was at Segrest on 10th. Assisted in trailing. Trained horse over to Will Murrah's. Found horse. Tracks compared. Horse belonged to Will Murrah. Gray. Didn't know brand. Had been a little shower Thursday evening and tracks were made after shower. No shoe on right hind foot. Peculiar shaped track. Found tracks close to John Murrah's house and followed them around corral and they disappeared on a big flat rock, but continued out of draw and trailed them a short distance."

Cross questioned: "Saw a few other tracks, but could distinguish this one. Suppose the other tracks were the horse John rode up to Roy Shafer's. Little rain made tracking easier. Was at Hope when rain fell. Water was still on the rocks at Segrest when I got there. The wind had very little effect on the tracks. Blew on Monday, but not hard. Saw cattle tracks. All the tracks I saw were made after the shower, except some cow tracks. Was at Shafer's on Monday and saw the horse John Murrah rode up there. He was a flea-bitten gray. Ground was sun-cracked and tracks were plain. Couldn't say positively what day the tracks were made."

Lewis Lindsey, of Lakewood, was then called: "Have been working for Will Murrah thirty-six days. I began the 18th day of April and was paid off yesterday. Mrs. Will Murrah paid me. I was working for Will on the 8th day of May. Was at Burford Polk's. Left Murrah's ranch Friday and went over to the Jones work. Got back to Will Murrah's Tuesday. Will Murrah and family were at home Friday when I left. When I returned on Tuesday D. Burdett and his family were there, but Murrah's family were not there. They came in on Tuesday evening. Said they had been to funeral. Will and I had a conversation. He asked me if I had heard that he had been accused of poisoning John and said they were on a cold trail if they thought it was him; that it was D. Burdett's horse they were trailing. Said they had gotten him (John Murrah) out of the way, anyhow. Asked me if I thought there would be any danger of people coming out there and hanging him. Said he believed he would get a couple of guns and kill as many of them as he could. That they might hire all the lawyers they wanted to, but that they would not be able to prove anything. Will and family stayed there Tuesday, and so did I. Early Wednesday morning he and Burdett left for Artois, but before leaving he told me to put another shoe on that gray horse, naming the one he rode, and describing his brand as 7H. I put the other shoe on. He had on only three. The horse formerly belonged to Roy, but is Will's now. He rides him frequently. There was a pistol in the car when the family returned from the funeral. Next time I saw Will he was in charge of the officers. I was with him a great deal of the time on the ranch. He said John was trying to claim the Segrest water hole, and that he was going up there some night and kill him and take him to Red Tank and throw him in that well, and put a lot of daggers on top of him so they will never find him. That he put a cow in that well once. Will sent me to Lakewood once to get a wagon saying he wanted it to move the

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BIG CHAMBER OF COMMERCE LUNCH

Another interesting as well as profitable Chamber of Commerce luncheon was enjoyed by a large representation of the business men of the city together with citizens of the community at the Palace hotel dining room yesterday at noon. The announcements were made by President Hubert, who requested that all be on time in the future, as some came in late, and stressed the importance of being punctual.

Judge Sam G. Bratton was introduced by the toastmaster, and he held his hearers in rapt attention for a few minutes with his splendid flow of words. Judge Bratton has been judge of the fifth judicial district for two and one-half years and he told the members of the Chamber of Commerce that he would shortly be transferred to another district as the recent state legislature had divided the fifth judicial district; he to be judge in the northern half and Judge Brice to take the southern half composed of the counties of Chaves, Lea, and Eddy. The Judge then expressed surprise that Carlsbad business men were progressive and wide-awake enough to get together twice a month for the discussion of things pertaining to the betterment of their city. Continuing he said: "No town develops beyond the vision of the men living in it, and where there is a broad vision, a fixed confidence in the future and a determination to accomplish things, there is sure to be results. Clovis has overcome great obstacles and is now paying its streets. What can be done there can be done elsewhere, and we made an excursion with 70 odd cars to the rural sections in an effort to promote the feeling of equality between country and city and were dining five times in one day as well as having an enjoyable trip."

Then the Judge paid a tribute to the Boy Scouts for being present and said the future depended on what kind of men were developed out of the boys of today. Judge Dauron, of Lakewood, was the next speaker called and responded in a few well chosen words complimenting the Chamber of Commerce and predicting success for their worthy efforts. Chairman Bell of the budget committee was asked to report and he said that while the budget was not yet complete there was in sight \$3,000.00 in monthly subscriptions and dues to the Chamber of Commerce, and thanked all for their hearty response to the solicitation of his committee.

Chairman Thorne of the free camp grounds and recreations committee made his report and announced that they had secured a location for the camp ground in the northwest part of the city one block north of Guadalupe street where shade is available under large cottonwood trees and a camp house will be built thirty-six feet in length besides enclosing the grounds and building a cattle guard and driveway. The camp house will be of mission style and finished with Globe plaster. Water will be piped to the ground, all of which will make it very attractive and meet the requirements of all tourists coming this way. The entire cost is estimated at about \$700.00. Chairman Thorne also said his committee were planning to build a bath house on the east side of the river just above the power dam so the advantages of the fine lake as a swimming pool might be enjoyed by all. The bath house will be 40 feet long with 10 dressing rooms 4x6 feet. A porch will run the entire length of the building with a door into each dressing room and a walk 50 or 60 feet long will be built to the water. This building will be so constructed that additions may easily be made at future dates if needed. The cost is estimated at \$550.00. No shower baths are to be installed at this time but the dressing rooms will be found serviceable. In a short time the two buildings will be erected and ready for the use of bathers and camping tourists.

W. A. Craig reported there is to be a mattress factory in Carlsbad and called on Mr. McCullough for a statement and he responded with the announcement that he would not try to go into the details of his line of business and thanked the people of the city as well as the Chamber of Commerce for courtesies shown in helping him to get established in Carlsbad. Mr. Craig then told of the request from the adjutant general of the state requesting the business men of Carlsbad to sign a pledge permitting their employees to join the National Guard and go on their annual encampments without loss of pay in connection with their work. And also that they urge their employees to join the Guard. He also called attention to the effort to organize a cavalry troop among the Spanish-Americans of San Jose and this city and said it should be supported by every one as the benefits to Carlsbad would be the same as those enjoyed from the troop already established here. Mr. Craig further said the American Legion wanted the business men to close their

places of business Monday at noon, May 30th so that Memorial Day services might be properly attended and a rising vote showed that all were willing to close on that day.

An appeal was made by Bert Rawlins, scoutmaster, for help in getting visiting scouts from towns up and down the railroad, from the depot here to their camping ground on Black river. The encampment will be a large one this year and Friday, June 10th will be visitors day and all are invited to visit the boys at that time.

Chairman Melvain of the publicity committee told of the blotters now ready for distribution and said the proposition of a good road to the mountains via El Paso Gap and Queen had been put before the board of county commissioners and they had promised to do all in their power to build it, although funds for the work are short at this time.

Major Hujac was invited to speak and, as usual, placed a practical proposition for consideration. He said no city was worth while if it was not clean and sanitary. Carlsbad is easily kept clean but it is not kept so now and the papers blowing around on the vacant lots and alleys is the fault of its citizens who should not distribute them for the winds to blow around. He further said that a calamity is bad but must be forgotten and that the old Bates hotel site had been an eye sore to Carlsbad long enough. Everyone coming into the city or leaving must look at this unsightly ruin and the fellow next door is entitled to due consideration. If he cannot keep his property looking as it should, he should be made to do so. The Major was heartily applauded by all for his stand and a little urging on the part of the citizens of the town would induce the city council to get up nerve enough to have this corner cleaned up.

MEMORIAL DAY PROCLAMATION.

WHEREAS, by law and custom the 30th day of May, in each year, is a Public Holiday.

That by so commemorating this day as a legal holiday and by again calling to our minds the heroic deeds of our sons and brothers, we will more clearly understand and realize our duties as citizens and emphasize the duty we owe to our government and our flag.

NOW, THEREFORE, I, J. D. Hudgins, Mayor of the City of Carlsbad, do join with those vested with greater authority and hereby proclaim Monday, the 30th day of May, 1921, MEMORIAL DAY.

A day set apart to commemorate a noble deed, who, sleep in native land, beneath the sea, or on foreign fields.

I ask the citizens of this community to meet in public assembly and to devoutly pay homage to God and to those who so fittingly gave their lives that we might live and enjoy the peace and happiness of a free and independent people.

(Signed) J. D. HUDGINS, Mayor.
Attest: R. A. TOFFELMIRE, Clerk.

LONG DROUTH BROKEN.

For the past several days we have been having some fine rains in the vicinity of Carlsbad, and, reports from every direction are to the effect that the rains have been fairly general, though some spots are yet dry.

The gauge at the local weather station registers a total rainfall since the 15th of this month of 2.18 inches, and the reports from the reservoirs above town are very encouraging.

There is plenty of water in the reservoirs now to insure irrigation for all of the project lands, and the cattle ranges are greening up all over the country.

The country as a whole is in much better condition than it has been for some time, and the people are all feeling good over the prospects ahead of us.

Notice to Taxpayers.

This is to notify you that the second half 1920 tax will be delinquent June 1st, 1921, and interest will attach thereto after that date.

A. E. LUSK, Treasurer and Collector.

The Farmer's Co-Operative Marketing Association will hold a meeting in the school building at Otis tomorrow night at eight o'clock, at which time it is hoped that the organization of the Association may be completed. In order to accomplish this it is hoped that a full attendance may be had at that time.

Mrs. R. E. Dick and daughter, Dorothy, will leave in the morning for Abilene, Texas, where Mr. Dick is employed in a drug store, and they intend to make that their future home. These fine people have been valued citizens of our little town for years, and it is with reluctance that we have to give them up. The best wishes of a large circle of friends follow them to their new home.

Work done good and quick, Haler Blocks in stock \$1.50 at Brown's Star Shop. Phone 90.

CITY SCHOOLS COMMENCEMENT EXERCISES.

The Commencement exercises of the Carlsbad High schools were held in the Crawford Theatre, Tuesday evening at eight o'clock, and the house was packed with an attentive and appreciative audience.

Members of the Junior class had decorated the stage with beautiful evergreens and flowers, and it was certainly well done, making a pleasing impression on the audience as they entered the theatre. Members of the Junior class acted as ushers and seated the crowd in a very satisfactory manner, locating the parents and friends of the class in seats that had been reserved for them.

Promptly at eight o'clock Miss Elizabeth Abbrington played a beautiful march and the speakers of the evening led the class to the platform, where they were all seated.

The class presented a very beautiful picture, and they consisted of members of the best families in our vicinity. Some of them have been in the Carlsbad schools from the Kindergarten on up, and they have acquired something to be proud of, and have achieved something which makes us all proud of them.

The Girls' Glee Club rendered a very pretty chorus "To a Wild Rose" which was heartily applauded, after which Rev. H. W. Lowry invoked the blessings of God on the class and the assembly.

Following another beautiful selection of the Glee Club, Superintendent Donley then introduced the speaker of the evening, Judge Sam G. Bratton, of Clovis, who delivered one of the ablest addresses that it has been our pleasure to listen to, and which was graciously received by the class and the audience.

Judge Bratton complimented our school buildings, and said that the north part of the state had their eyes on us and were noting the progress we were making in an educational way, and congratulated us on having an efficient faculty and board of education.

He emphasized the fact that it was a great accomplishment in a young person's life when they had perfected a high school education, and continued: "So far you have been considered school girls and school boys, but tomorrow you go out into the world assuming a different relationship to it than you have ever had before. It will be twenty-five years from now that you will be living for the same period, for the reason that more will be accomplished in the next twenty-five years than has been accomplished in the last twenty-five hundred years. Citizenship in this country carries with it a burden, and it is your duty to prepare yourself to carry your part of this burden, and he or she who fails in this fails in all. If I can succeed in awakening you to the realization of the conditions of today, and be the means of inducing you to put forth your best efforts in this line, I will feel that my efforts here this evening have been rewarded. Never before has the world moved as fast as it is moving now. The demands on us are greater than ever. You will be connected more closely with its progress than ever before, and it will be up to you, young friends, to solve the problems of the future, and I insist that you continue to prepare yourself until you are fitted for any vocation to which you may be called. In order to equip yourselves, you must not be content with a high school education, but you must use your utmost efforts to acquire a college education. And this may be done. When a boy or girl determines to possess a college education there is nothing in the world that can stop the realization of that desire. There will be the keenest of competition in all lines and in order to meet that competition it will be necessary for you to have confidence in yourself. Select the calling to which you feel you will be best adapted, and carry out earnest preparation along that line. This is a day of specializing. Develop character, for without that you cannot succeed. Character is absolutely essential to success. Honesty, self-reliance, and ingenuity are some of the components which are necessary to success in life. Be fearless—think for yourself; draw your own conclusions, and advocate the things you believe to be right. Stick to your class motto: "Duty and today are yours," so that you may have something to look back upon, and unless you develop along these lines you will fail to get the best out of life. You cannot live to yourself—you must live for others. Render some service to your fellow man and thoroughly fix this resolution in your mind: "Let me live in my house by the side of the road, Where the race of men go by. They are good, they are bad, they are weak, they are strong; Wise, foolish—and so am I."

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THE NATIONAL BANK

OF CARLSBAD

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